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BEFORE THE ARIZONA CORPORATION COMMISSION

2003 NOV 10 P 2:44

MARC SPITZER
Chairman

AZ CORP COMMISSION
DOCUMENT CONTROL

WILLIAM A. MUNDELL
Commissioner

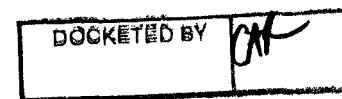
JEFF HATCH-MILLER
Commissioner

Arizona Corporation Commission
DOCKETED

MIKE GLEASON
Commissioner

NOV 10 2003

KRISTIN MAYES
Commissioner



IN THE MATTER OF THE APPLICATION
OF SUNRISE WELL ASSOCIATION, INC.
FOR ADJUDICATION THAT IT IS NOT A
PUBLIC SERVICE CORPORATION

DOCKET NO. W-04154A-02-0848

COMPLIANCE FILING

On November 14, 2002, Sunrise Well Association (the "Association" or the "Applicant") filed with the Arizona Corporation Commission (the "Commission") an application for adjudication that it is not a public service corporation under Arizona law. On August 12, 2003, the Commission issued a Procedural Order that, among other things, (1) set a hearing date of November 13, 2003 for the above-captioned matter (the "Hearing"), and (2) ordered the Commission's Utilities Division Staff (the "Staff") to prepare a Staff Report on or before September 25, 2003.

The Staff Report was docketed on September 29, 2003. Pursuant to the Staff Report, Staff could recommend that the Applicant be adjudicated not a public service corporation upon the Applicant providing evidence that (1) each member/customer of Applicant has equal voting rights in the Association, and (2) the Association has direct ownership of the water production, storage and distribution assets necessary to serve the Association's customers/members.

In response to the conditions set forth in the Staff Report, the Association hereby files

copies of the following items with the Commission in support of its request to be adjudicated not a public service corporation:

1. Attachment "A": Action by Unanimous Written Consent by the Members of Sunrise Well Association, Inc., and Action by Unanimous Written Consent by the Directors of Sunrise Well Association, Inc., both effective as of October 31, 2002, amending the bylaws of the Association to provide for equal voting rights for each active customer of the Association.

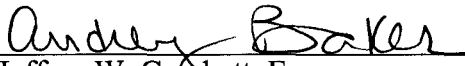
2. Attachment "B": Easement granting to the Association a non-exclusive easement over certain real property described therein for water lines, dated as of September 5, 2002, and recorded in the official records of Mohave County, Arizona on November 1, 2002 and indexed as Instrument No. 2002074660.

3. Attachment "C": Quitclaim Deed from R. & M. Family Trust, Dale P. Nash and Phyllis C. Nash Trustees, as grantors, to the Association, as grantee, transferring to the Association a fee interest in certain real property located in Mohave County, Arizona, which includes the location of the well site and water storage tanks, dated as of September 13, 2003. In October 2003, the Quitclaim Deed was sent to be filed in the official records of Mohave County, Arizona. A copy of the recorded Quitclaim Deed will be filed with the Commission once the same has been returned to the Association.

4. Attachment "D": Bill of Sale executed by Lewis Petersen and Dale Nash conveying to the Association the water distribution system that delivers water to all properties served by the Association, dated September 13, 2003.

RESPECTFULLY submitted this 10th day of November, 2003.

SNELL & WILMER


Jeffrey W. Crockett, Esq.
Audrey A. Baker, Esq.
One Arizona Center
Phoenix, Arizona 85004-2202
Attorneys for Sunrise Well Association, Inc.

1 ORIGINAL AND THIRTEEN (13) copies filed
this 10th day of November, 2003, with:

2 Docket Control
3 ARIZONA CORPORATION COMMISSION
1200 West Washington
4 Phoenix, Arizona 85007

5 COPY HAND-DELIVERED this
6 10th day of November, 2003, to:

7 Christopher C. Kempley
Chief Counsel, Legal Division
8 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
9 Phoenix, Arizona 85007

10 Ernest G. Johnson, Director
Utilities Division
11 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
12 Phoenix, Arizona 85007

13 COPY MAILED this
14 10th day of November, 2003, to:

15 Lewis Petersen, President
Sunrise Well Association, Inc.
P.O. Box 2638
16 Mesquite, NV 89024

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18 _____
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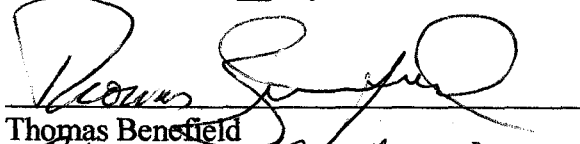
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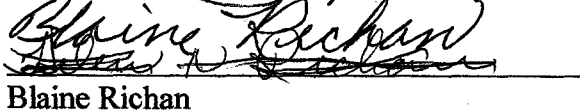
**ACTION BY UNANIMOUS WRITTEN CONSENT
BY THE MEMBERS OF
SUNRISE WELL ASSOCIATION, INC.**

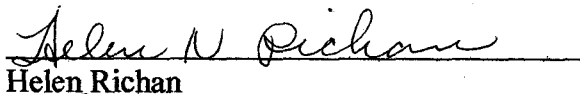
We the undersigned, constituting all of the members of Sunrise Well Association, Inc., an Arizona non-profit corporation (the "Association"), acting in accordance with Section 9 of Article IV of the Association's Bylaw, hereby state as follows:

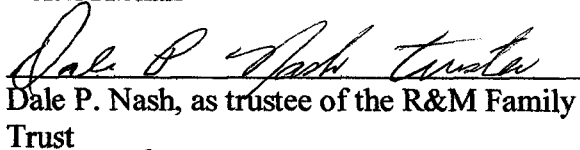
PURSUANT TO Arizona Revised Statutes Section 10-11023, we hereby ratify and confirm the actions of the members of the Board of Directors of the Association, as set forth in the attached certificate of Action By Unanimous Written Consent By the Directors of Sunrise Well Association, Inc., which such actions were taken pursuant to Arizona Revised Statutes Section 10-11021 and Article XX of the Bylaws.

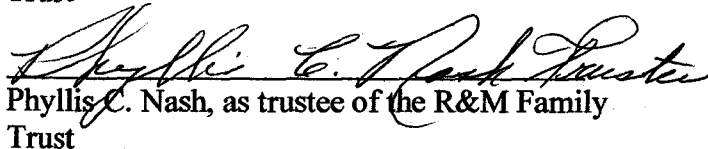
EFFECTIVE this ___ day of October, 2003.


Thomas Benefield

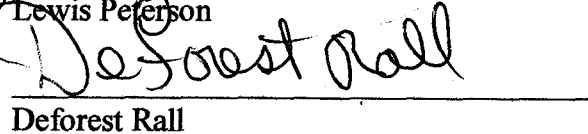

Blaine Richan

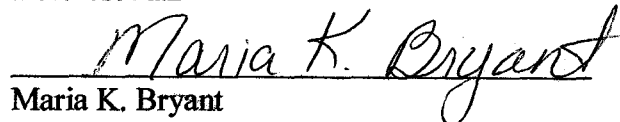

Helen Richan

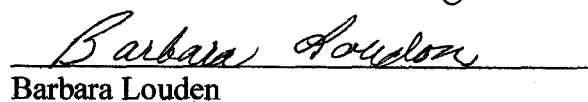

Dale P. Nash, as trustee of the R&M Family Trust


Phyllis C. Nash, as trustee of the R&M Family Trust


Lewis Peterson


Deforest Rall


Maria K. Bryant


Barbara Loudon

**ACTION BY UNANIMOUS WRITTEN CONSENT
BY THE DIRECTORS OF
SUNRISE WELL ASSOCIATION, INC.**

The undersigned, constituting all of the members of the Board of Directors of Sunrise Well Association, Inc., an Arizona non-profit corporation (the "Association"), hereby adopt the following resolutions by unanimous written consent pursuant to Section 4 of Article VII of the Association's Bylaws:

RESOLVED, that in accordance with Arizona Revised Statutes Section 10-11021, the Bylaws of the Association be amended by the addition of the following provisions to Article III:

Section 4. Category of Membership

Every person or entity who is a record owner of a fee or undivided fee interest in a designated parcel may become a member of the Association. One membership is available for each of the 15 designated one-acre parcels within the service area, and a person or entity may hold multiple memberships in the Association. There are two categories of memberships available in the Association: Active Memberships and Dormant Memberships. Active Memberships shall have right to vote on any Association matters, as set forth in Article III Section 6, and in Article IV herein. Dormant Memberships shall not have any voting rights. The category of membership associated with each designated parcel shall be noted on the books of the Association.

All memberships in the Association associated with each individual designated parcel shall be Dormant Memberships until such time as the owner of the designated parcel obtains an active water line connection from the designated parcel to the Association's water system for the purpose of taking delivery of water for use on such designated parcel. Once an active water connection has been established for a particular designated parcel, and the owner becomes a paying water customer of the Association for the designated parcel, the membership associated with that particular designated parcel shall automatically become an Active Membership, with all of the benefits as set forth herein.

Notwithstanding anything herein to the contrary, assessments levied pursuant to Article XVI herein shall be levied equally as to all members of the Association, without regard to the category of membership associated with any particular designated parcel.


Section 5. Voting Rights of Members

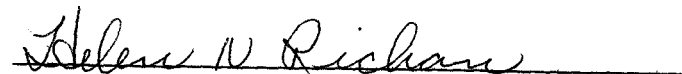
An owner of one or more designated parcels within the service area may cast one vote for each Active Membership such owner holds in the Association, on any matter for which members may allowed to take action, as set forth in Article IV herein.

RESOLVED FURTHER, that the foregoing amendments are made pursuant to the powers granted to the undersigned pursuant to Article XX of the Bylaws of the Association.

IN WITNESS WHEREOF, the undersigned has executed this Action by Unanimous Written Consent as of and the above resolutions, unless otherwise indicated herein, shall be effective as of October __, 2003.


Lewis Peterson, Director


Dale Nash, Director


Helen Richan, Director

B

1P6
ATTN: D. Category
SNOW NUFFER
PO Box 400
St George, UT 84771

INDEXED

2002074660 BK 4255 PG 631
OFFICIAL RECORDS OF MOHAVE COUNTY
JOAN MC CALL, MOHAVE COUNTY RECORDER
11/01/2002 10:38A PAGE 1 OF 1
SNOW NUFFER ENGSTROM ET AL
RECORDING FEE 14.00

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

MICROFILMED

That I Dale P. Nash and Phyllis C. Nash as Trustees of the R&M Family Trust, do hereby grant to the Sunrise Well Association, Inc., an Arizona non-profit corporation:



- a) A twenty-five (25) foot non-exclusive easement appurtenant, along the West and South sides of Parcel #402-24-122 Section 16, T39N, R16W in Mohave County, Arizona for a water line; and
- b) A fifty-one (51) by fifty-four (54) foot square easement containing 2,754 square feet in the southwest corner of Parcel #402-24-122, Section 16, T39N, R16W, Mohave County Arizona for the Well, Well-house and storage tanks; and
- c) A twenty-five (25) non-exclusive easement for a water line across the south 25 feet of the N 1/2 SE 1/4 SE 1/4 Section 16, T39N, R16W, Mohave County Arizona as reserved in prior deeds.

Nothing contained herein shall constitute or be deemed to constitute a gift or dedication of any portion of this lot to the general public or for the benefit of the general public or for any public purpose whatsoever. There are no third party beneficiaries to this agreement.

DATED this 5th day of September, 2002.

R&M Family Trust

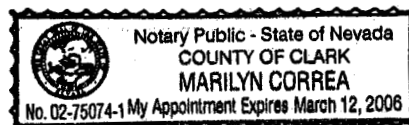
By Dale P. Nash
Dale P. Nash, Trustee

By Phyllis C. Nash
Phyllis C. Nash, Trustee

STATE OF Nevada)
COUNTY OF Clark) ss.

On this 5th day of September, 2002, before me personally appeared Dale P. Nash and Phyllis C. Nash, whose identities are by me duly sworn (or affirmed), did say that they are Trustees of the R&M Family Trust and that the foregoing instrument was signed by proper authority, and acknowledged before me that they executed the document in the capacity and for the purposes stated in it.

Marilyn Correa
NOTARY PUBLIC
Address: Mojave, NV
My Commission Expires: 3/12/06



C

When recorded, mail to:
 Dale P. Nash
 P.O. Box 2802
 Mesquite, Nevada 89024

QUITCLAIM DEED

THIS QUITCLAIM DEED. Executed this 13 day of Sept. 2003

by the first party, Grantor, R. & M. Family Trust, Dale P. Nash and Phyllis C. Nash Trustees
 whose post office address is P.O. Box 2802 - Mesquite NV. 89024

to second party, Grantee, Sunrise Well Association, Inc.
 whose post office address is P.O. Box 2802, Mesquite, Nevada 89024

WITNESSETH, That the said first party, for good consideration and for the sum of Ten Dollars (\$10.00) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances there-to in the County of Mohave, State of Arizona to wit:

A 50 foot square in the Southwest corner of the west 264 feet of the
 North half of the Southeast quarter of the Southeast quarter of the
 Southeast quarter T39N, R16W, Section 16 of the Gila and Salt River
 Base and Meridian. Mohave County Arizona.

WITNESS the hand of said grantor, this 13 day of Sept. 2003

STATE OF Nevada)
 ARIZONA)

Dale P. Nash Trustee
 Dale P. Nash - Trustee

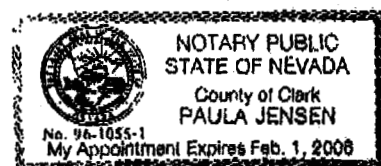
COUNTY OF MOHAVE)
Clark)

Phyllis C. Nash Trustee
 Phyllis C. Nash Trustee

On this 13 day of Sept. 2003, before me personally appeared Dale P. Nash Trustee, Phyllis C. Nash Trustee
 personally known to me or proved to me on the basis of satisfactory evidence to be the person whose
 names are signed on the preceding document, and acknowledged before me that they signed it
 voluntarily for its stated purpose.

Paula Jensen
 Notary Public

Address: 310 W. Mesquite Blvd Mesquite NV 89027
 My commission expires: 12/6/2006



D

BILL OF SALE

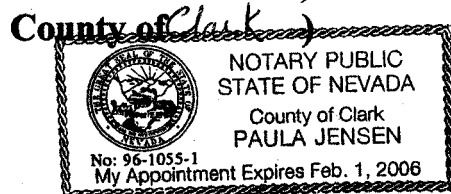
We, Lewis Petersen, Blaine Richan and Dale P. Nash of Scenic, Mohave County, Arizona. In consideration of \$1.00 to be paid by Sunrise Well Association, Inc. the receipt of which is hereby acknowledged, do hereby grant, sell, transfer and deliver unto Sunrise Well Association the following goods.

The water lines that carry water to all properties served by the Association.

We hereby covenant with the grantee that we installed and are the lawful owners of said water lines and that they are free from all encumbrances; that we have the right to sell the same as aforesaid.

WITNESS the hand of said grantor this 13 day of Sept. 2003.

State of Nevada)
)ss



Lewis Petersen
Lewis Petersen

Dale P. Nash
Dale P. Nash

On this 13 day of Sept. 2003 before me personally appeared Lewis Peterson and Dale P. Nash personally known to me or proved to me on the basis of satisfactory evidence to be the person whose names are signed on the preceding document, and acknowledged before me that they signed it voluntarily for its stated purpose.

Paula Jensen
Notary Public

My commission expires: Feb. 1, 2006

STATE of Utah)
)ss
County of Utah)

Blaine Richan
Blaine Richan

On this 15th day of September 2003, before personally appeared Blaine Richan Personally know to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding document, and acknowledged before me that he signed it voluntarily for its stated purpose.

April J. Carley
Notary Public.

My commission expires: 1-25-2004

